

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

SUBPOENA
IN A CRIMINAL CASE

v.

CR. NO. 06-550

DAVID H. BROOKS, ET AL

TO: Point Blank Enterprises, Inc.

2102 SW 2nd Street

Pompano Beach, FL 33069

YOU ARE COMMANDED to appear in the United States District Court at the place, date and time specified below, or any subsequent place, date and time set by the Court, to testify in the above referenced case. This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.

Place NOT APPLICABLE	Courtroom
	Date and Time

YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

See Attachment

Place McKenna Long & Aldridge LLP 1900 K Street, N.W. Washington, D.C. 20006	Courtroom
	Date and Time: July 1, 2013 10:00 a.m.

U.S. Magistrate Judge or Clerk of Court Douglas C. Palmer	DATE 6/20/2013
(BY) Deputy Clerk Mary Ryan	
Attorney's Name, Address and Phone Number George Kostolampros McKenna Long & Aldridge LLP 1900 K Street, N.W. Washington, D.C. 20006 (202) 496-7526	

AO 89 - Subpoena in a Criminal Case

SO ORDERED

A. Kathleen Tomlinson
United States Magistrate Judge
Date: June 20 20 13
Central Islip, N.Y.

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS G YES G NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____ Date		
_____ Signature of Server		
_____ Address of Server		
ADDITIONAL INFORMATION		

SUBPOENA OF POINT BLANK ENTERPRISES

I. DEFINITIONS AND INSTRUCTIONS

- A. "Includes" or "Including" shall mean including but not limited to.
- B. "Document" or "documents" shall refer to any item subject to production under Rule 34(a) of the Federal Rules of Civil Procedure and shall be construed as broadly as possible to include all notes and drafts and all media on which information can be stored or recorded.
- C. "Any" shall mean any and all.
- D. "And" and "or" are terms of inclusion and not exclusion, and shall be construed to bring within the scope of the document requests any information that might otherwise be construed to be outside its scope.
- E. "SS Body Armor" and/or "Point Blank Solutions, Inc." refers to SS Body Armor I, Inc. (f/k/a Point Blank Solutions, Inc.); SS Body Armor II, Inc. (f/k/a Point Blank Body Armor, Inc.); SS Body Armor III, Inc. (f/k/a Protective Apparel Corporation of America); and PBSS, LLC.
- F. "Affidavit of Loss" refers to the Affidavit of Loss By Point Blank Solutions, Inc. (formerly known as DHB Industries, Inc.) and the Declaration of T. Scott Avila in Further Support of Point Blank's Restitution Claim in the criminal matter titled *U.S. v. David H. Brooks, et al*, Cr. No. 06-550 (E.D.N.Y.), and the spreadsheet detailing certain expenses. The spreadsheet is attached hereto as Attachment 1.
- G. "Communication" shall mean an oral, graphic, demonstrative, telephonic, verbal, electronic, written, or like conveyance of information, including documents.

II. DOCUMENT REQUESTS

Any documents supporting SS Body Armor's Affidavit of Loss, including but not limited to:

- a. Any accounting journal entries reflecting payments and/or accounts payable for expenses that are listed on Attachment 1;
- b. Any invoices for expenses that are listed on Attachment 1;
- c. Any cancelled checks and/or bank statements reflecting payments made for expenses that are listed on Attachment 1.
- d. Any accounting journal entries reflecting Point Blank Solutions, Inc.'s aging accounts payable and/or debt obligations from 2006 through 2010; and

- e. Any documents reflecting payments made by or tax obligations of Point Blank Solutions Inc. for back taxes, interest, and penalties to the IRS that are listed on Attachment 1.

Attachment 1

Albany
Atlanta
Brussels
Denver
Los Angeles

**McKenna Long
& Aldridge^{LLP}**
Attorneys at Law

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June 20, 2013

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
Eastern District of New York
1034 Federal Plaza
Central Islip, New York 11722

Re: United States v. Brooks, Cr. No. 06-550

Dear Tomlinson:

Per our discussions on Tuesday and yesterday with Lisa Sofio, enclosed is a subpoena for records from Point Blank Enterprises, Inc.

Respectfully submitted,



Nancy R. Grunberg
George Kostolampros

cc: Alan Kornfeld, Esq.
All Counsel of Record (via ECF)